

2:06cv24

Defendants.

ORDER

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ORDER

IT IS, THEREFORE, ORDERED that

- (1) plaintiff's orally renewed Motion for Leave to File First Amended Complaint is **GRANTED**, and plaintiff is granted leave to file his First Amended Complaint within 10 days of the filing of this Order; and
- (2) inasmuch as an Amended Complaint will be filed, defendants' Motion to Dismiss (#2) is **DENIED** without prejudice as **MOOT**.

Signed: December 4, 2006

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Dennis L. Howell
United States Magistrate Judge

